

United States v. Donald Gardner, Jr.

15-CR-179-FPG

DEFENDANT'S EXHIBIT A

This is how I remember dad. He love to go camping, fishing, working on the farm, go to the lake and playing music.

Dad love to take the family camping.

He love having fun at the park riding rides or just sitting by a camp

fire visiting and watching family have

fun. Dad love to go fishing with

any one that wanted to fish. Dad, tom and

I went fishing all the time. Dad love

hanging out on a lake with tom.

They would always joke about who got

the biggest fish. Dad and jim iceef

would work on a tractor or go

fishing together. Dad was happy when

he could take jim fish. He loved to

my people smile. Dad was also happy hanging

with Doug at the farm or out hunting.

I know Dad was happy the most

when Dad and Doug hunted together

Dad loved the woods. The quiet times

he spent with Doug in the woods or

alone in the out doors, when dad

was not hanging out with family he

was helping all his farmer friends

out. If bruce, steve, icenny or any

other farmer called he would run right

over there to help them out.

If he could use my help I went with him. Dad also helped out at the action house in Benet. He love doing farm woric with mom and the family. The farm was more mom and dad's time to spend together. Dad always made mom happy. He would always make time for the family. Then Dad made time for the music he love to play. Dad loved to play music with me. He loved the old country music. Dad was happy playing music with Rickey New, and the New family, Smitty, Jerry Saxy Curtis, Steve Trudell, Beth Powers and anyone that wanted to play music with him. Dad always was the first person to help set up Samberries. To help raise money for anyone that need help. The best times me and dad had was playing music. That's was when we was happy the most. I loved seeing dad happy at every thing he did. He made a lot of people happy. All the parties we had to just hanging with friends always put a smile on his face. I will always remember all the things Dad love to do. Dad will always be remembered as the greatest.

in the world to me. I will always
keep him in my heart. He was
a man that never turned any one
down that needed help. That's why
I love him so much.
I will miss him so much.

I thank god for giving me
a great caring wonderful father
that I called my Dad.

I will always remember my
Dad this way

Donnie

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DEFENDANT'S EXHIBIT B

April 5, 2018

To Whom This May Concern,

Three years ago this May my husband and Don's dad passed away. This was a very difficult time for both of us. We were able to keep him home and took care of him. He passed at home. Don helped me to care for him. Don and his dad did a lot together. It is hard for Don to show his feeling in front of me. He feels he has to be strong for me. His dad taught Don a lot by showing him. Don can remember anything his dad told him.

Due to the fact that Don has been gone for a year, there is a lot to do to catch up. We have a small farm. Right now we have two cows and four horses. When Don comes home I want to build the heard back up. We raise boy cows and have a list of customers that want the boys. Right now my oldest son lives near and does the best he can, but works nights and has a family of his own.

Don really likes to work and drive the farm equipment. We are small so our equipment is old and it takes a lot of work to keep it running.

This will explain what we do during the summer-

Spring – Barn has to be cleaned and after, we have about 50 acres of fencing that has to be mended or repaired. Some barb wire, electric, and cattle fencing. Then hedge rows have to be cleaned and trimmed. Then if any fields need drain ditches this year we need to put new support beams in the barn before hay can be stored. We need to replace a window in the barn that the animals broke. By the time we get this done we will have to ready the equipment for haying season. We will need 2000 bales of first cutting for winter.

When we have the hay done then we have to spray the fence line for weeds and trim any small bushes. We rotate the pastures. When we rotate to fresh pasture the old pastures have to be mowed so the grass grows without the weeds. In the meantime we have to maintain the house and yard. In summer the yard has to be mowed every week, approximately 1 ¾ acres. I like flowers and a small garden. Don doesn't like to garden. During this time the barn has to be kept clean. Then we also do a second cutting of hay.

Then in the fall we cut wood for the woodshed. We burn wood to keep the fuel cost down in the winter. Also in the winter Don plows the driveway and barnyard.

Also, years ago my husband learned how to play guitar, and talked me into playing bass guitar. Our neighbor as a joke gave Don a set of drums. Don was hyperactive in school so when he came home he used all that energy on the drums. He is very good. My husband started a band and when Don was old enough he was part of the band. He loves drumming and music. We play old country and square dances. Over the years we have played all over New York. We also did a lot of benefits for all walks of people. Don and I still play. We have a steel guitarist and a lead guitarist. We have played for free in Cortland for senior citizens. Don really enjoys this.

Don is more than willing to help anyone that needs help. He has a very large heart.

Thank you,

Carol Gardner

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DEFENDANT'S EXHIBIT C

05/24/2018

To whom it may concern,

My name is Sandra Recor, I am Donald Gardner's aunt, so I have been in his life since birth. My mom babysat Donnie when he was very small until he went to school. Then she got him off the bus after school. We knew early on Donnie had a learning problem, but he was a happy boy loved by everyone. As long as I can remember, Donnie liked to please people and wanted to help.

When he was quite young, my brother taught him how to play the drums. At first, Donnie and his mom and dad would "jam" at home but as Donnie got better his dad had a band and they let him practice with them. Soon Donnie was a part of the band and would play his drums at the family reunions my mom had every year. Donnie loved music as much as his mom and dad and liked to "jam" with the band. Music wasn't the only thing he shared with his parents, they have a small farm and he loved being around the animals and learning how to fix things. Donnie also liked being around family and came to visit my mom and helped her whenever he could. My son John used to take his three sons to the farm to help my brother at times and Donnie learned a lot from helping fix things then too. My husband and I used to go hear the band quite often and you could tell that Donnie loved his music and time with his mom and dad. He also liked helping everyone and would do whatever he could to make things easier for people.

In 2003, my mom was taken sick with cancer. Donnie came to see her and tried to help. She died that summer. In 2006 my son John was killed in an accident and my 2013 Donnie had also lost two great uncles to cancer. These were all family members he was close to and it was hard for him. He continued, and it seemed like his music comforted him. He also continued to work the farm with his parents and worked away from home too. Then in the fall of 2014, his dad also got cancer. That was the biggest blow of all. Even though my brother told him from the start that he did not have much time, Donnie couldn't believe it. He spend every minute he could at home with his mom and dad and took of more of the work. He talked to his dad about music, the animals and the farm. He couldn't grasp the idea that his dad wasn't going to get well. After his dad passed, Donnie got quiet. He didn't talk as much and he seemed to put more time in helping his mom. He one time told me he promised his dad he would take care of his mom and the farm for him. I write to Donnie every week and he writes to me. He always talks about his mom, dad, and the farm and always tells me he can't wait to get home to be there for his mom. He promised his dad he would be there for her. He always asks me about the animals I have and the family. He tells me he prays a lot and colors pictures to help him relax. He tells me he is worried about his mom. He also tells me he will never get in trouble again. I tell him to keep the faith. I hope this letter will help you understand Donnie better he really is a good kid. Thank you.

Donnie is needed at home. He helps his mom so much and also his great aunt that lives with them. He is not a bad person. He is a loving, caring person who just wants to be liked and likes to help others. I know if I ever need anything I can depend on him for help.

Sandra Recor

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DEFENDANT'S EXHIBIT D

April 27, 2018

To whom it may concern,

My name is Laura Mongellow, I've known Carol Gardner from my job at Lafayette Central Schools for approximately 20 years. Her family shortly after.

The Gardner family are close, hardworking people. Carol is a loving bus driver for our town and Donald Sr. was a very hard working man for the D.O.T. stationed out of Lafayette, N.Y.

Their children Donny Jr. and Doug helped them on their farm. Cows, horses and any dog they could rescue and make safe.

Donny Jr. held a job at Lee's Feed Mill in Syracuse N.Y. where I met him. He was so pleasant, and so helpful and hard working.

I'd go there for feed for my parents for feed to feed their ducks and horses. I realized later that my coworker was the mother of my favorite Lee's Feed Mill worker. My ex worked for the state with his dad Donald Sr. My ex Tim Elenback worked in the fields with Donny Jr. and the family. Cutting their own hay to feed the cows and horses during the winter.

I write to Donny Jr. as much as I possibly can. A place I feel he should not be, I am a bus driver at Lafayette Central School, a special needs driver for about 20 years of 30. I transport adults at 21 years of age. I understand that these children/adults do not understand what is right or wrong.

"Washing your face after a nosebleed is not smearing blood all over your face..."

"Not allowed to go swimming with the class because you look at the young girls."

N.Y. State is amazing for special needs yet the schooling does not train them what is right from wrong.

Donny Jr. is older than what I have transported over the years. Donny Jr. did not know how to handle what came across to his computer.

The child who made his life of prison needs help. The parents need help also with a child that would put him in this place. Donny Jr. needs to be home helping his mother who is widowed to run her farm. Donny Jr. has a talent of drawing something he could do on the side. Donny could become an illustrator of books.

Please send him home! A special needs adult should not be in prison for his actions, something he apparently just looked at.

This man needs to come home to his family and livestock. Donny Jr. is not a threat to anyone. Donny Jr. is a loving, gentle man who needs his mother and to help her.

Laura Mongellow

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**DEFENDANT'S
EXHIBIT E
(Under Seal)**

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**DEFENDANT'S
EXHIBIT F
(Under Seal)**

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**DEFENDANT'S
EXHIBIT G
(Under Seal)**

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DEFENDANT'S EXHIBIT H (Under Seal)

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**DEFENDANT'S
EXHIBIT I
(Under Seal)**

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**DEFENDANT'S
EXHIBIT J
(Under Seal)**